

**SECTION 10(a)(1)(B) PERMIT FOR TAKES OF
ENDANGERED/THREATENED SPECIES**

Permit Number: 1554
Permit Type: Incidental Take
Program Name: Recreational Fisheries for Unlisted Species in the Middle and Upper
Columbia River and its Tributaries
Expiration Date: June 20, 2018

Permit Holder:
Washington Department of Fish and Wildlife
600 Capitol Way N.
Olympia, WA 98501-1091

Contact:
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Authorization:

The Washington Department of Fish and Wildlife (WDFW) is hereby authorized incidental take of endangered Upper Columbia River (UCR) spring Chinook salmon (*Oncorhynchus tshawytscha*), endangered UCR steelhead (*O. mykiss*), threatened Middle Columbia River (MCR) steelhead, and threatened Snake River fall Chinook salmon while implementing the State of Washington's recreational fisheries programs as cited in the permit application with addendum. This authorization is subject to the provisions of Section 10(a)(1)(B) of the Endangered Species Act of 1973 (ESA) (16 U.S.C. §§ 1531-1543), the National Marine Fisheries Service (NMFS) regulations governing ESA-listed species permits (50 CFR Parts 222-226), and the conditions hereinafter set forth.

Abstract:

The State of Washington's recreational fishing program addressed in this permit includes the following activities:

1. A catch-and-release fishery for rainbow, cutthroat, and brook trout in sections of the Methow River and several of its tributaries;
2. A summer/fall Chinook salmon fishery upstream of Priest Rapids Dam;
3. An Icicle Creek spring Chinook salmon fishery in Icicle Creek targeting spring Chinook salmon (currently unlisted Carson stock) returning to the Leavenworth National Fish Hatchery(NFH) ;
4. An Entiat River spring Chinook salmon fishery targeting spring Chinook salmon (Carson stock) returning to the Entiat NFH;
5. A Lake Wenatchee sockeye salmon fishery;
6. A Hanford Reach summer Chinook salmon fishery;
7. A Hanford Reach fall Chinook salmon fishery;
8. A non-anadromous fishery in areas below Priest Rapids Dam;

9. A non-anadromous fishery in areas above Priest Rapids Dam;
10. A whitefish fishery in several UCR tributaries.

This permit constitutes authorization for implementation of state regulations regarding those fisheries in the areas and time frames described in WDFW's permit application with addendum, unless modified below.

Fisheries Descriptions:

1. *Methow Basin Rainbow, Cutthroat and Brook Trout Catch-and-Release Sport Fishery*

In the Methow River from the County Road 1535 (Burma Road) bridge, upstream to the Weeman Bridge may be opened from June 1-August 15 and from the County Road 1535 (Burma Road) bridge, upstream to Foghorn Dam may be opened from August 16-September 30. The Twisp River at the mouth to War Creek and the Chewuch River at the mouth upstream to Eight Mile Creek may be opened from June 1-August 15. Angling must be regulated as a "selective gear fishery," requiring unscented, artificial flies or lures with a barbless single hook, and bait will be prohibited.

2. *Summer/Fall Chinook Salmon Fishery Above Priest Rapids Dam*

The Columbia River from Priest Rapids Dam to Rocky Reach Dam may be opened from June 24 to October 15. The Columbia River from Rocky Reach Dam to Wells Dam may be opened from July 1 to October 15; the lower section of the Entiat River from the Entiat River confluence with the Columbia River upstream to the Entiat City Limits may be opened from August 1 to August 31. The Columbia River from Wells Dam to Chief Joseph Dam including the Methow River downstream of the Hwy 97 Bridge at Pateros may be opened from July 8 to October 15. The Okanogan River upstream of the Hwy 97 Bridge at Brewster to ¼ mile below the railroad trestle near Zosel Dam may be opened from July 8 to September 15. The Similkameen River from the confluence with the Okanogan River upstream to the city bridge at Oroville may be opened from July 8 to September 15.

3. *Icicle Creek Spring Chinook Salmon Fishery*

A fishery targeting spring Chinook salmon returning to Leavenworth NFH may be opened in Icicle Creek from mid-May through July. Angling may be allowed from 400 feet upstream of the mouth of Icicle Creek upstream to 500 feet downstream of the Leavenworth NFH.

4. *Entiat River Spring Chinook Salmon Fishery*

A fishery targeting unlisted Carson stock spring Chinook salmon returning to Entiat NFH may be opened in the Entiat River from mid-May through July. Angling may be allowed from the Alternate Highway 97 Bridge near the mouth of the Entiat River, upstream approximately 6.8 miles to 500 feet downstream of the Entiat NFH ladder. A minimum escapement of 100 natural-origin salmon for spawning in the Entiat River and 400 (800 if broodstock is to be collected) Carson-stock hatchery-origin fish returning to the Entiat River are required to initiate a fishery.

5. Lake Wenatchee Sockeye Fishery

A fishery targeting sockeye salmon in Lake Wenatchee may begin in late July or early August.

6. Hanford Reach Summer Chinook Salmon Fishery

A summer Chinook salmon fishery may occur in the Columbia River from McNary Dam to the old Hanford townsite wooden powerline towers from August 16 to October 22.

7. Hanford Reach Fall Chinook Salmon Fishery

A fall Chinook salmon fishery may occur in the Columbia River from McNary Dam to the old Hanford townsite wooden powerline towers from August 1 to December 31 and from the old Hanford townsite wooden powerline towers to Priest Rapids Dam from August 16 to October 22.

8. Non-Anadromous Recreational Fishery Below Priest Rapids Dam

A fishery in the Hanford Reach area of the Columbia River for white sturgeon, walleye, whitefish, bass, and northern pikeminnow may be open year-round from the Highway 395 bridge at Pasco/Kennewick to Priest Rapids Dam, except for a closure to all fishing from October 23 to January 31 from the Old Hanford townsite to Vernita Bridge.

9. Non-Anadromous Recreational Fishery Above Priest Rapids Dam

A fishery targeting warmwater species (such as bass), walleye, sturgeon and whitefish may be open throughout the area from Priest Rapids Dam to Chief Joseph Dam and in portions of Okanogan River. Warmwater and walleye fishery would be open year-round.

10. Tributary Whitefish Fishery

A whitefish fishery may be opened in the following streams from December 1 to March 31; Chewuch River - from mouth to the Pasayten Natural Wilderness boundary; Methow River - from Gold Creek to falls above Brush Creek; Similkameen River - from mouth to the Canadian border; Entiat River - from mouth (Highway 97 bridge) to Entiat Falls; and the Wenatchee River - from the mouth to Highway 2 Bridge at Leavenworth.

This permit is for activities to be conducted over a period of ten years. Annual take listed below is subject to the annual authorization process (see Section C - Reports and Annual Authorization Requirements) during the period that this permit is valid.

A. Incidental Take

The total maximum annual incidental takes of ESA-listed species incidental to fisheries conducted under WDFW's proposed recreational fishery regulations shall be:

Endangered Upper Columbia River Spring Chinook Salmon

1. No more than 81 juvenile UCR spring Chinook salmon may be caught and released in the Methow River trout fishery, of which 8 fish may die.
2. No more than 3 adult UCR spring Chinook salmon may be incidentally killed (harvested) in the Icicle Creek spring Chinook salmon fishery.

3. Incidental take of adult UCR spring Chinook salmon may not exceed the level identified in Table 1 based on the annual run size of natural- and hatchery-origin spring Chinook salmon returning to the Entiat River;

Table 1. Total allowable angling induced mortality of ESA-listed adult upper Columbia River spring Chinook salmon in the Entiat River Basin.

| Status Indicator (Critical Threshold) ¹ | Predicted Natural-Origin Escapement | Maximum Percent Mortality | Range of Potential Lethal Take | Range of Estimated Encounters ² |
|---|---|---------------------------------|--------------------------------------|--|
| 0% - 20% of Viable | ≤ 100 | 0 | 0 | 0 |
| 20 - 40% of Viable | 101 -200 | 2 | 2-4 | 20-40 |
| 40 - 60% of Viable | 201 – 300 | 4 | 4-8 | 40-80 |
| 60 - 80% of Viable | 301 – 400 | 6 | 18 - 16 | 160-180 |
| 80 - 100% of Viable | 401 – 500 | 8 | 32 - 40 | 320-400 |
| > 100% Viable Threshold | >500 | 10 | 50 - >50 | 500+ |

¹ As defined by Interior Columbia Technical Recovery Team (ICTRT 2005).

² Encounters needed to achieve the lethal range take, assuming a 10% hooking-and-release mortality and the maximum mortality allowed at the critical and viable population threshold levels.

4. No more than 6 adult UCR spring Chinook salmon may be caught and released in the Lake Wenatchee sockeye salmon fishery, of which 1 may die;
5. No more than 2 adult UCR spring Chinook salmon may be caught and released during the non-anadromous recreational fishery above Priest Rapids Dam, of which zero may die.

Endangered Upper Columbia River Steelhead

1. No more than 20 adult UCR steelhead be caught and released in the Methow River trout fishery, of which 2 fish may die;
2. No more than 12,500 hatchery- and natural-origin juvenile UCR steelhead (*0. mykiss*) in unknown proportion, may be caught and released in Methow River trout fishery, of which no more than 1,250 may die;
3. No more than 100 hatchery- and natural-origin adult UCR steelhead caught and released in the Columbia River mainstem summer Chinook salmon fishery, of which no more than 10 may die;
4. No more than 10 hatchery- and natural-origin adult UCR steelhead caught and released in the Icicle Creek spring Chinook fishery, of which no more than 1 may die;
5. No more than 10 hatchery and natural-origin adult UCR steelhead caught and released in the Entiat River spring Chinook fishery, of which no more than 1 may die;
6. No more than 162 hatchery and natural-origin adult UCR steelhead caught and released in the Hanford Reach summer Chinook fishery, of which no more than 16 may die;

7. No more than 1,500 hatchery and natural-origin adult UCR steelhead caught and released in the Hanford Reach fall Chinook fishery, of which no more than 150 may die.
8. No more than 5 adult UCR steelhead may be caught and released during the non-anadromous fishery below Priest Rapids Dam, of which 1 may die.
9. No more than 5 juvenile UCR steelhead may be caught and released during the non-anadromous recreational fishery below Priest Rapids Dam, of which 1 may die.
10. No more than 4 adult UCR steelhead may be caught and released during the non-anadromous recreational fishery above Priest Rapids Dam, of which 1 may die.
11. No more than 40 hatchery and natural-origin adult UCR steelhead caught and released in the Whitefish sport fishery, of which no more than 2 may die.

Threatened Middle Columbia River Steelhead

1. No more than 10 adult MCR steelhead may be caught and released in the Hanford Reach summer Chinook salmon fishery, of which 2 may die.
2. No more than 10 adult MCR steelhead may be caught and released in the Hanford Reach Fall Chinook Salmon fishery, of which 2 fish may die.
3. No more than 5 adult and 5 juvenile MCR steelhead may be caught and released in the Non-anadromous recreational fishery below Priest Rapids Dam, of which no more than 1 adult and 1 juvenile may die.

Threatened Snake River Fall Chinook Salmon

1. No more than 8 hatchery- and natural-origin adult Snake River fall Chinook salmon may be incidentally killed (harvested) during the Hanford Reach summer Chinook fishery.

B. Special Conditions

1. Incidental take of ESA-listed anadromous salmonids is authorized as described in the permit application, the NMFS biological opinion on the issuance of this permit, and in the terms and conditions specified in this permit.
2. The WDFW shall manage recreational fisheries within the Upper Columbia River ESUs to minimize impacts on ESA-listed salmonids.
3. The WDFW must manage recreational fisheries authorized in this permit to limit the take of ESA-listed Chinook salmon and steelhead to the levels described in this permit.
4. At least two weeks prior to opening the Entiat spring Chinook salmon fishery the WDFW must provide to NMFS the annual run forecast and fishery regulations for review and concurrence.
5. The WDFW shall take measures to prevent the inadvertent illegal take of ESA-listed fish by taking measures to educate anglers on subjects such as; differentiating between ESA-

listed from unlisted fish, how to identify and avoid impacting redds, and methods for releasing ESA-listed fish. Actions should also be taken to identify and protect, through warning signs or other means in the vicinity of critical spawning areas for ESA-listed salmon.

6. The WDFW shall conduct sufficient monitoring activities to allow the accurate enumeration of encounters with and mortalities of ESA-listed fish.
7. The WDFW shall monitor recreational fisheries at levels comparable to those in recent years for the incidental catch of ESA-listed spring Chinook and steelhead. Sampling all recreational fisheries which may take ESA-listed species for catch composition, including the collection of biological information, must be increased where necessary to ensure a thorough postseason analysis of fishery impacts on ESA-listed species; in particular the Methow River Basin trout fishery, the Icicle Creek spring Chinook fishery, and the Entiat River spring Chinook salmon fishery.
8. The WDFW shall maintain law enforcement programs to provide protection and ensure compliance with protective regulations for ESA-listed anadromous fish.
9. The WDFW shall provide law enforcement patrols focused on times and areas where ESA-listed anadromous fish may be vulnerable to illegal harvest or harassment.
10. The WDFW shall restrict fishing activities and increase enforcement emphasis on regulations at any time or place that is identified during the monitoring of fisheries as a hazard to ESA-listed species.
11. The WDFW shall maintain public information programs to provide protection and increase compliance with protective regulations for ESA-listed anadromous fish.
12. The WDFW shall continue to provide public education and information materials that emphasize the importance of protecting ESA-listed anadromous fish species.
13. The WDFW shall participate with co-managers and land management agencies in providing signs warning the public to avoid disturbing spawning salmon, avoid wading or boating activities that damage redds, and explaining the legal and biological consequences of harming ESA-listed fish.

C. Reports and Annual Authorization

1. An annual report must be submitted to NMFS after each fishing season that provides a description of activities and a summary of ESA-listed fish takes for the year. This report shall include an analysis of the impacts on ESA-listed fish resulting from each fishery, including impacts on natural- and hatchery-origin fish.
 - a. Annual reports are due by April 15 following each year that the permit is effective.
 - b. Annual reauthorization of the permit will depend on timely submittal of the report by WDFW and written approval of the content of the report by NMFS Salmon Recovery Division in Portland, Oregon.
 - c. Contact for all reports and notifications:
NMFS - Salmon Recovery Division

1201 NE Lloyd Blvd., Suite 1100
Portland, Oregon 97232
Phone: (503) 230-5409
Fax: (503) 872-2737

2. The reports must include:
 - a. A detailed description of activities conducted under this permit including an estimate of the total number of fish harvested (both ESA-listed and unlisted), an estimate of the number of ESA-listed fish captured and released, an estimate of the number of ESA-listed fish incidental mortalities, the manner of takes, and the dates/locations of takes;
 - b. Measures taken to minimize disturbances to ESA-listed fish and the effectiveness of these measures, including copies of pamphlets, brochures or signs distributed or posted to educate anglers about ways to minimize disturbances to ESA-listed fish;
 - c. A description of the effects of recreational fisheries on ESA-listed fish, the disposition of ESA-listed fish in the event of mortality, and a brief narrative of the circumstances surrounding ESA-listed fish injuries or mortalities;
 - d. A description of the sampling methods used in the creel survey in the Methow River trout fishery and the results from the survey;
 - e. A description of the sampling methods used to evaluate any incidental harvest of ESA-listed spring Chinook in the Leavenworth NFH fishery in Icicle Creek and the results from the sampling;
 - f. A description of the sampling methods used to evaluate any incidental harvest of ESA-listed spring Chinook in the Entiat NFH fishery in the Entiat River and the results from the sampling;
 - g. Any problems that may have arisen during the conduct of fisheries management activities and a statement as to whether or not the activities had any unforeseen effects;
 - h. A summary of law enforcement patrols for each fishery including the number of angler contacts, the number and type of violations and/or citations issued;
 - i. A summary of public education efforts that reduce impacts on ESA-listed species;
 - j. A summary of the measures taken to reduce deliberate illegal takes of ESA-listed fish;
 - k. A description of how all take estimates were derived;
 - l. A summary of the results of the monitoring activities and creel surveys; and
 - m. Steps that have been and will be taken to reduce the impact of recreational fisheries on ESA-listed species.
3. The WDFW must provide plans for future recreational fishing activities not defined in the permit and/or changes in fishery locations/dates and obtain written approval from NMFS' Salmon Recovery Division in Portland, Oregon prior to implementing changes.

4. The WDFW must provide the NMFS' Salmon Recovery Division in Portland, Oregon, with a timely notice, in writing, of any proposed changes to WDFW's fishery regulations regarding the ten fisheries authorized in this permit.
5. The WDFW must report whenever the authorized level of take is exceeded or if circumstances indicate that such an event is imminent. Notification should be made as soon as possible, but no later than two days after the authorized level of take is exceeded. Pending NMFS' review of the circumstances, NMFS may request a written report regarding the exceedance of take and suspend recreational fishing activities or amend this permit to allow recreational fishing activities to continue.
6. The WDFW must report the take of any ESA-listed species not included in this permit, when it is killed, injured, or collected during the course of recreational fishing activities. Notification should be made as soon as possible, but no later than two days after the unauthorized take. Pending review of these circumstances, NMFS may request a written report regarding the unauthorized take and may suspend recreational fishing activities or amend this permit to allow recreational fishing activities to continue.

D. General Conditions

1. The provisions of this permit may be amended by the Salmon Recovery Division, NMFS, upon reasonable notice to the WDFW.
2. The WDFW, in effecting the take authorized by this permit, is considered to have accepted the terms and conditions of this permit and prepared to comply with the provisions of this permit, the applicable regulations, and the ESA.
3. The WDFW is responsible for the actions of any individual operating under the authority of this permit. Such actions include capturing, handling, releasing, transporting, maintaining, and caring for any ESA-listed species authorized to be taken by this permit.
4. The WDFW, personnel, or designated agent acting on the agency's behalf conducting the activities for which a take of ESA-listed species or other exception to ESA prohibitions is authorized herein are required to have read, be familiar with, and comply with this permit and the associated biological opinion.
5. The WDFW may not transfer or assign this permit to any other person(s), as person is defined in Section 3(12) of the ESA. This permit ceases to be in force or effective if transferred or assigned to any other person without prior authorization from NMFS.
6. The WDFW must obtain any other Federal, state, and local permits/authorizations necessary for the conduct of the activities provided for in this permit. In addition, before taking ESA-listed species in the territorial waters of a foreign country, WDFW must secure consent from, and comply with the appropriate laws of, that country.
7. Any personnel of the WDFW requiring Federal or state licenses to practice their profession must be duly licensed under the appropriate law.
8. The WDFW must allow any NMFS employee(s) or any other person(s) duly designated by NMFS, to accompany field personnel during the activities provided for in this permit and/or to inspect WDFW's records and facilities if such records and facilities pertain to

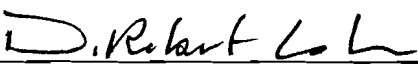
activities for which a take of ESA-listed species or other action otherwise prohibited by the ESA is authorized by this permit, relate to ESA-listed species covered by this permit, or otherwise pertain to NMFS' responsibilities under the ESA.

9. Under the terms of the regulations, a violation of any of the terms and conditions of this permit will subject the WDFW, and/or any individual who is operating under the authority of this permit, to penalties as provided for in the ESA.
10. 50 CFR Section 222.23(d)(8) provides for a reasonable fee to be charged to cover the costs of the issuance of permits under the ESA. The fee for this permit has been waived.
11. Any falsification of annual reports or records pertaining to this permit is a violation of this permit.
12. This permit may be revoked by NMFS if the activities provided for by this permit are not carried out in accordance with the conditions of the permit and the purposes and requirements of the ESA, or if NMFS otherwise determines that the findings made under section 10(d) of the ESA no longer hold.

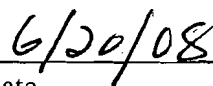
E. Penalties and Permit Sanctions

1. Any person who violates any provision of this permit is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the ESA and 15 CFR part 904 [Civil Procedures].
2. All permits are subject to suspension, revocation, modification, and denial in accordance with the provisions of subpart D [Permit Sanctions and Denials] of 15 CFR part 904.

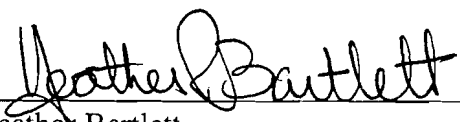
F. Signatures



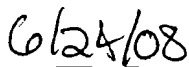
D. Robert Lohn
Regional Administrator



Date



Heather Bartlett
Washington Department of Fish and Wildlife



Date

Reported Take

Please use this or a similar table to specify types and numerical estimates of annual take for listed species during authorized fisheries.

| Number of fish | DPS or ESU and population if known | Life Stage ¹ | Origin ² | Type of Take ³ | Fishery ⁴ | Comments |
|----------------|------------------------------------|-------------------------|---------------------|---------------------------|----------------------|----------|
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¹ Such as: fry, smolt, juvenile, adult

² Hatchery or natural

³ Capture and release or killed-kept, killed-estimated mortality

⁴ From authorized fishery list in permit